

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA                         )  
  )  
vs.    )  
  ) No. 3:18-CR-157  
DAVID WELLS    )  
  )

**O R D E R**

Magistrate Judge C. Clifford Shirley filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Count One of the Indictment; (2) accept Defendant's plea of guilty to Count One of the Indictment, that is, of conspiracy to distribute and possess with intent to distribute one thousand (1000) kilograms or more of a mixture and substance containing a detectable amount of marijuana, a schedule I controlled substance, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and 841(b)(1)(A); (3) adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [R. 124]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [R. 124] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1)   Defendant's motion to withdraw his not guilty plea to Count One of the Indictment is **GRANTED**;

- (2) Defendant's plea of guilty to Count One of the Indictment, that is, of conspiracy to distribute and possess with intent to distribute one thousand (1000) kilograms or more of a mixture and substance containing a detectable amount of marijuana, a schedule I controlled substance, in violation of 21 U.S.C. §§ 846 and 841(a)(1) and 841(b)(1)(A), is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Indictment;
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **June 1, 2020, at 2:30 p.m.** before the Honorable Pamela L. Reeves, United States District Judge.

**SO ORDERED.**



CHIEF UNITED STATES DISTRICT JUDGE